

**26143. Adulteration and misbranding of Procaine-Epinephrin Dentules. U. S. v. 10 Cartons of "Procaine-Epinephrin Dentules. Default decree of condemnation and destruction. (F. & D. no. 36706. Sample no. 32429-B.)**

This case involved an interstate shipment of Procaine-Epinephrin Dentules which contained procaine in a proportion less than that represented on the label.

On December 4, 1935, the United States attorney for the Western District of Tennessee, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 10 cartons of Procaine-Epinephrin Dentules at Memphis, Tenn., alleging that the article had been shipped in interstate commerce on or about July 30, 1935, by the Atlantic Manufacturing Corporation, from Brooklyn, N. Y., and that it was adulterated and misbranded in violation of the Food and Drugs Act.

The article was alleged to be adulterated in that its strength fell below the professed standard under which it was sold, namely, "Procaine 2%." The article was alleged to be misbranded in that the statement appearing on the carton, "Contains Procaine 2%", and the statement contained in an accompanying circular, "Dentules contain approximately 2.55 cc of anesthetic solution", were false and misleading.

On June 3, 1936, no claimant having appeared, judgment of condemnation was entered, and it was ordered that the product be destroyed.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

**26144. Misbranding of tincture of aconite root and tincture of nux vomica. U. S. v. Standard Chemical Co., a corporation. Plea of nolo contendere. Fine, \$20 and costs. (F & D. no. 36940. Sample nos. 18423-B, 18425-B.)**

These articles were represented to conform to the United States Pharmacopoeial standard; but tests of samples showed that the tincture of aconite root had a potency of less than one-fourth of that required by the pharmacopoeial standard; and that the tincture of nux vomica was materially deficient in the alkaloids of nux vomica.

On April 28, 1936, the United States attorney for the Southern District of Iowa, acting upon a report by the Secretary of Agriculture, filed in the district court an information against the Standard Chemical Co., a corporation, Des Moines, Iowa, alleging shipment in violation of the Food and Drugs Act, as amended, on or about June 12, 1935, from Des Moines, Iowa, to Sheldon, Mo., of quantities of tincture of aconite root and tincture of nux vomica that were misbranded. The articles were labeled in part: (Bottle) "Poison Tincture Aconite Root U. S. P. Alcohol—65% The Standard Chemical Co. Des Moines, Iowa"; (Bottle) "Poison Tincture Nux Vomica U. S. P. Alcohol . . . 70% The Standard Chemical Company Des Moines, Iowa."

Misbranding of the tincture of aconite root was charged in that the label bore the statement "Tincture Aconite Root U. S. P.", that the article was not tincture of aconite root which would conform to the standard laid down in the United States Pharmacopoeia, and that the aforesaid statement was false and misleading.

Misbranding of the tincture of nux vomica was charged in that the label bore the statement, "Tincture Nux Vomica U. S. P.", that the article was not tincture of nux vomica which conformed to the standard laid down in the United States Pharmacopoeia, and that the aforesaid statement was false and misleading.

On April 28, 1936, a plea of nolo contendere having been entered, a fine of \$20 and costs was imposed.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

**26145. Adulteration of procaine hydrochloride tablets. U. S. v. Mutual Pharmaceutical Co., Inc. Plea of guilty. Fine, \$50. (F. & D. no. 36982. Sample nos. 42217-B, 49782-B.)**

This case involved an interstate shipment of procaine hydrochloride tablets that fell below the strength and purity indicated on the label.

On May 11, 1936, the United States attorney for the Northern District of New York, acting upon a report by the Secretary of Agriculture, filed in the district court an information against the Mutual Pharmaceutical Co., Inc., at Syracuse, N. Y., alleging that on or about August 5, 1935, the defendant had shipped from the State of New York into the State of New Jersey a number of procaine hydrochloride tablets, and that the article was adulterated in violation of the Food and Drugs Act. The article was labeled: "100 Tablets Procaine Hydrochloride 1.14 Grains One tablet dissolved in 60 min. of water

makes a 2% solution. Manufactured by Mutual Pharmacal Co., Inc., Syracuse, N. Y."

The article was alleged to be adulterated in that its strength and purity fell below the professed standard and quality under which it was sold, in that each of said tablets was represented to contain 1.14 grains of procaine hydrochloride; whereas each tablet contained less than 1.14 grains, to wit, not more than 1.01 grains of procaine hydrochloride.

On June 11, 1936, a plea of guilty was entered on behalf of the defendant and the court imposed a fine of \$50.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

**26146. Misbranding of rubbing alcohol. U. S. v. 2,154 Bottles of Rubbing Alcohol. Default decree of condemnation, forfeiture, and destruction.** (F. & D. no. 37066. Sample no. 44073-B.)

The label of this article bore erroneous statements regarding its ingredients and was without a statement of the quantity or proportion of isopropyl alcohol contained therein. The article was an imitation of and was offered for sale under the name of another article.

On January 13, 1936, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 2,154 bottles of rubbing alcohol at Boston, Mass., alleging that the article had been shipped in interstate commerce on or about November 30, 1935, by the Wilshire Sales Corporation, from New York, N. Y., into the State of Massachusetts, and charging misbranding in violation of the Food and Drugs Act. The article was labeled in part: (Bottle) "Dr. Wards Rubbing Alcohol 70 Proof Isopropyl Alcohol Hospital Brand \* \* \* Bond Laboratories New York."

Analysis showed that the article consisted essentially of isopropyl alcohol (approximately 31 percent), a small proportion of acetone, and water, perfumed with methyl salicylate.

Misbranding of the article was charged (a) in that its label bore the statement "Rubbing Alcohol", which statement was false and misleading in that the product contained no ordinary (ethyl) alcohol but did consist essentially of isopropyl alcohol, acetone, water, and perfume; (b) in that the article was an imitation of and was offered for sale under the name of another article, namely, rubbing alcohol; (c) in that the package failed to bear a statement of the quantity or proportion of isopropyl alcohol contained therein since the statement "70 Proof Isopropyl Alcohol" was meaningless.

On March 16, 1936, no claimant having appeared, a default decree of condemnation, forfeiture, and destruction was entered.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

**26147. Misbranding of Dr. Daniels' Colic Drops. U. S. v. 69 Packages of Dr. Daniels' Colic Drops. Default decree of condemnation, forfeiture, and destruction.** (F. & D. no. 37075. Sample no. 43840-B.)

Unwarranted curative or therapeutic claims were made for this article.

On January 21, 1936, the United States attorney for the District of Maine, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of a quantity of Dr. Daniels' Colic Drops at Portland, Maine, alleging that the article had been shipped in interstate commerce, on or about December 16, 1935, by Dr. A. C. Daniels, Inc., from Boston, Mass., into the State of Maine, and charging misbranding in violation of the Food and Drugs Act. The article was labeled in part: (Package) "Dr. Daniels' \* \* \* Colic Drops." The package of the article contained two bottles, marked "No. 1" and "No. 2", respectively.

Analysis showed that bottle no. 1 contained extracts of plant drugs including nux vomica and a red coloring matter, and that bottle no. 2 contained an extract of a bitter drug.

Misbranding of the article was charged in that the following statements appeared upon the package of the article, and that said statements were false and fraudulent representations regarding the curative or therapeutic effects of the article, to wit, "Colic Drops \* \* \* Azoturia may be relieved by giving 30-drop doses of No. 1 Colic Drops every fifteen minutes for two or three hours. \* \* \* 30 drops equal half teaspoonful. Directions Ordinary Horse Colic:—Acute Indigestion:—To relieve, give to the animal 30 drops or ½ teaspoonful of No. 1 Colic Drops in the mouth as far back on the tongue as possible. In 10 minutes give 30 drops of No. 2. Continue giving first 1 and then the other at